

*DRAFT – Internal Deliberative/Attorney-Client Do Not Release Under FOIA or  
DISCOVERY*

*B. Paperwork Reduction Act (PRA)*

The information collection activities in this proposed rule have been submitted to the Office of Management and Budget (OMB) for approval under the PRA. The Information Collection Request (ICR) document that the EPA is preparing for this proposed FIP has been assigned EPA ICR number 2539.01.

This proposed action imposes a new information collection burden under the PRA. Once the ICR has been submitted to OMB, a notice advising people of that fact and of the opportunity for public comment will be published in the Federal Register.

The ICR covers information collection necessary to meet the requirements in the proposed FIP. In general, owners or operators are required to maintain records of all required monitoring and other rule compliance. The proposed FIP also requires annual reports containing information for each oil and natural gas production facility, including a summary of all required records during the reporting period, and a summary of all instances where operation was not performed in compliance with the requirements of the proposed FIP during the reporting period. Additionally, a summary emissions inventory is required for each facility covered under this rulemaking. These reports and records are essential in determining compliance, and are required of all sources subject to the proposed FIP. The information collected will be used by the EPA or the Ute Tribe to determine the compliance status of sources subject to the rule.

Respondents/affected entities: The potential respondents are owners or operators

*DRAFT – Internal Deliberative/Attorney-Client Do Not Release Under FOIA or  
DISCOVERY*

of existing oil and natural gas production facilities found throughout the Indian country lands within the U&O Reservation.

Respondent's obligation to respond: Mandatory. The EPA is charged under Sections 301(a) and 301(d)(4) of the CAA to promulgate regulations as necessary to protect tribal air resources. Promulgating the proposed FIP addresses an important initial step to fill a regulatory gap between state and federal requirements with regard to controlling VOC emissions from existing oil and natural gas production operations on the Indian country lands within the U&O Reservation. There is no other federal rule, including the recently finalized NSPS and NESHAP for the Oil and Natural Gas Sector (NSPS OOOO and NESHAP HH), that establishes air pollution control regulations for the particular oil and natural gas production operations that exist on the Indian country lands within the U&O Reservation. This is in contrast to oil and natural gas operations on non-Indian country lands within the State of Utah's jurisdiction, which are governed by the UDEQ regulations and Utah Division of Oil, Gas, and Mining regulations. Consistent with the regulatory structure that exists on non-Indian country lands, and NSPS OOOO, the proposed FIP has requirements for VOC emissions control and reductions, monitoring, recordkeeping, and reporting.

In addition, section 114(a) states that the Administrator may require any owner or operator subject to any requirement of this Act to:

- establish and maintain such records;

*DRAFT – Internal Deliberative/Attorney-Client Do Not Release Under FOIA or DISCOVERY*

- make such reports; install, use, and maintain such monitoring equipment, and use such audit procedures, or methods;
- sample such emissions (in accordance with such procedures or methods, at such locations, at such intervals, during such periods, and in such manner as the Administrator shall prescribe);
- keep records on control equipment parameters, production variables or other indirect data when direct monitoring of emissions is impractical;
- submit compliance certifications in accordance with Section 114(a)(3); and
- provide such other information as the Administrator may reasonably require.

Estimated number of respondents: We estimate that 5,169 oil and natural gas production facilities will be subject to this proposed FIP over the next three years.

Frequency of response: Annual reports are required. Respondents must monitor all specified criteria at each affected facility and maintain these records for five years.

Total estimated burden: 170,801 hours per year (3-year average), for all operators subject to the proposed FIP.

Total estimated cost: \$37,966,851 (per year includes \$17,105,083 annualized capital or operation & maintenance costs), for all operators subject to the proposed FIP.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for the EPA's regulations in 40 CFR are listed in 40 CFR part 9.

*DRAFT – Internal Deliberative/Attorney-Client Do Not Release Under FOIA or  
DISCOVERY*

Submit your comments to the EPA on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden, using the docket identified at the beginning of this proposed rule. You may also send your ICR-related comments to OMB's Office of Information and Regulatory Affairs via email to [oria\\_submissions@omb.eop.gov](mailto:oria_submissions@omb.eop.gov), Attention: Desk Officer for the EPA. Since OMB is required to make a decision concerning the ICR between 30 and 60 days after receipt, OMB must receive comments no later than 30 days after publication of the ICR in the Federal Register. The EPA will respond to any ICR-related comments in the final rule.